

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: EAST PALESTINE TRAIN
DERAILMENT

CASE NO. 4:23CV0242

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

GRAYCE EISLEY, *et al., etc.*,

CASE NO. 4:23CV0250

Plaintiffs,

v.

JUDGE BENITA Y. PEARSON

NORFOLK SOUTHERN
RAILWAY COMPANY,

Defendant.

ORDER

* * * * *

RAY E. HALL, *et al., etc.*,

CASE NO. 4:23CV0257

Plaintiffs,

v.

JUDGE BENITA Y. PEARSON

NORFOLK SOUTHERN
RAILWAY CO., *et al.*,

Defendants.

ORDER

* * * * *

ANDREW ERDOS, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
CORPORATION., *et al.*,

Defendants.

)
) CASE NO. 4:23CV0268
)
)

) JUDGE BENITA Y. PEARSON
)
)

) **ORDER**

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CHASE KINDER, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
CORPORATION, *et al.*,

Defendants.

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) CASE NO. 4:23CV0292
)
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) JUDGE BENITA Y. PEARSON
)
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) **ORDER**

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AYSIA CANTERBURY, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
CORPORATION, *et al.*,

Defendants.

)
) CASE NO. 4:23CV0298
)
)

) JUDGE BENITA Y. PEARSON
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)

) **ORDER**

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KRISTIN BATTAGLIA, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
RAILWAY COMPANY, *et al.*,

Defendants.

CASE NO. 4:23CV0303

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

JESSICA DAVIS, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
RAILWAY COMPANY, *et al.*,

Defendants.

CASE NO. 4:23CV0308

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

TINA IBEL, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
CORPORATION, *et al.*,

Defendants.

CASE NO. 4:23CV0315

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

KAYLA BAKER, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
CORPORATION, *et al.*,

Defendants.

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CASE NO. 4:23CV0324

JUDGE BENITA Y. PEARSON

ORDER

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SCOTT SNYDER, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
RAILWAY CO., *et al.*,

Defendants.

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CASE NO. 4:23CV0344

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

AMY DETTMER, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
RAILWAY CO., *et al.*,

Defendants.

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CASE NO. 4:23CV0345

JUDGE BENITA Y. PEARSON

ORDER

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WILLIAM LEE FISHER, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
CORPORATION, *et al.*

Defendants.

CASE NO. 4:23CV0350

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

ROBERT ATKINSON, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
CORPORATION, *et al.*,

Defendants.

CASE NO. 4:23CV0363

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

CHRISTINA BODNAR, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
CORPORATION, *et al.*,

Defendants.

CASE NO. 4:23CV0380

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

GIOVANI IRIZARRY, *et al.*, *etc.*,

Plaintiffs,

V.

NORFOLK SOUTHERN
CORPORATION, *et al.*

Defendants.

CASE NO. 4:23CV0479

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

FRANK POLICARO, *et al.*, *etc.*,

Plaintiffs,

V.

NORFOLK SOUTHERN
CORPORATION, *et al.*,

Defendants.

CASE NO. 4:23CV0495

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

EDWARD E. BARNHOUSE, *etc.*,

Plaintiff,

V.

NORFOLK SOUTHERN
CORPORATION, *et al.*,

Defendants.

CASE NO. 4:23CV0510

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

ROBERT KURTZ, JR., *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN
CORPORATION, *et al.*,

Defendants.

CASE NO. 4:23CV0529

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

MICHAEL BUNTS, *et al., etc.*,

Plaintiffs,

v.

NORFOLK SOUTHERN RAILWAY
CORPORATION, *et al.*,

Defendants.

CASE NO. 4:23CV0586

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

DAVIDSON CULIXTE,

Plaintiff,

v.

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

CASE NO. 4:23CV0600

JUDGE BENITA Y. PEARSON

ORDER

* * * * *

JERROLD GURNEY, *et al.*,

Plaintiffs,

v.

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*

Defendants.

)
) CASE NO. 4:23CV0601
)
)
) JUDGE BENITA Y. PEARSON
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)
) **ORDER**

* * * * *

TIM HAMILTON, *et al.*,

Plaintiffs,

v.

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

)
) CASE NO. 4:23CV0602
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)
) JUDGE BENITA Y. PEARSON
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)
) **ORDER**

* * * * *

JIBRIL EMMANUEL HAMMOND,

Plaintiff,

v.

NORFOLK SOUTHERN RAILWAY
COMPANY, *et al.*,

Defendants.

)
) CASE NO. 4:23CV0603
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)
) JUDGE BENITA Y. PEARSON
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)
) **ORDER**

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SCOTT MCALLER, <i>et al.</i> ,)	
)	CASE NO. 4:23CV0604
Plaintiffs,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
NORFOLK SOUTHERN RAILWAY)	
COMPANY, <i>et al.</i> ,)	
)	
Defendants.	)	<u>ORDER</u>

* * * * *

MICHAEL LOYD, <i>et al., etc.</i> ,)	
	)	CASE NO. 4:23CV0634
Plaintiffs,)	
)	
v.	)	JUDGE BENITA Y. PEARSON
)	
NORFOLK SOUTHERN)	
RAILWAY COMPANY, <i>et al.</i> ,)	
)	
Defendants.	)	<u>ORDER</u>

* * * * *

LAURA MANN, <i>et al.</i> ,)	
	)	CASE NO. 4:23CV0672
Plaintiffs,)	
)	
v.	)	JUDGE BENITA Y. PEARSON
)	
NORFOLK SOUTHERN CORP., <i>et al.</i> ,)	
)	
Defendants.	)	<u>ORDER</u>

* * * * *

JOSHUA TURNER,)	
	)	CASE NO. 4:23CV0870
Plaintiff,)	
)	
v.	)	JUDGE BENITA Y. PEARSON
)	
ALAN SHAW, <i>et al.</i> ,)	
)	
Defendants.	)	<u>ORDER</u>

On April 5, 2023, the Court consolidated Case Nos. 4:23-cv-00242, 4:23-cv-00250, 4:23-cv-00257, 4:23-cv-00268, 4:23-cv-00292, 4:23-cv-00298, 4:23-cv-00303, 4:23-cv-00308, 4:23-cv-00315, 4:23-cv-00324, 4:23-cv-00344, 4:23-cv-00345, 4:23-cv-00350, 4:23-cv-00363, 4:23-cv-00380, 4:23-cv-00415, 4:23-cv-00429, 4:23-cv-00440, 4:23-cv-00479, 4:23-cv-00495, 4:23-cv-00509,¹ 4:23-cv-00510, 4:23-cv-00529, 4:23-cv-00586, 4:23-cv-00600, 4:23-cv-00601, 4:23-cv-00602, 4:23-cv-00603, 4:23-cv-00604, 4:23-cv-00634, and 4:23-cv-00672 for pretrial purposes. *See* Order ([ECF No. 28 in 4:23-cv-00242](#)) at PageID #: 569. On May 2, 2023, Case No. 4:23-cv-00870, a related action filed in this court on April 26, 2023, was consolidated into Case No. 4:23-cv-00242 for pretrial purposes. *See* Order ([ECF No. 30 in 4:23-cv-00242](#)) at PageID #: 666.

The Court previously announced its intention to administratively close all but Case No. 4:23-cv-00242 upon the filing of a Master Consolidated Class Action Complaint regarding the

¹ On April 28, 2023, Case No. 4:23-cv-00509 was voluntarily dismissed pursuant to [Fed. R. Civ. P. 41\(a\)\(1\)\(A\)\(i\)](#).

February 3, 2023 Norfolk Southern train derailment in East Palestine, Ohio. *See* Order ([ECF No. 28 in 4:23-cv-00242](#)) at PageID #: 570 n. 7. The Master Consolidated Class Action Complaint ([ECF No. 31 in 4:23-cv-00242](#)) was filed on May 4, 2023. Accordingly, Case Nos. 4:23-cv-00250, 4:23-cv-00257, 4:23-cv-00268, 4:23-cv-00292, 4:23-cv-00298, 4:23-cv-00303, 4:23-cv-00308, 4:23-cv-00315, 4:23-cv-00324, 4:23-cv-00344, 4:23-cv-00345, 4:23-cv-00350, 4:23-cv-00363, 4:23-cv-00380, 4:23-cv-00415, 4:23-cv-00429, 4:23-cv-00440, 4:23-cv-00479, 4:23-cv-00495, 4:23-cv-00510, 4:23-cv-00529, 4:23-cv-00586, 4:23-cv-00600, 4:23-cv-00601, 4:23-cv-00602, 4:23-cv-00603, 4:23-cv-00604, 4:23-cv-00634, 4:23-cv-00672, and 4:23-cv-0870 are hereby closed.²

The Clerk of Court shall docket the within Order in all 31 cases. In the future, all pleadings and other papers for the above-entitled actions shall only be filed in and docket entries shall only be made in Case No. 4:23-cv-00242.

IT IS SO ORDERED.

May 31, 2023
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge

² The Clerk's Office shall administratively close these 30 cases.